

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,
Plaintiff,
v.
CHERI EMMANUEL,
Defendant.

Case No. 2:05-cr-70-APG-GWW

ORDER GRANTING EARLY TERMINATION OF SUPERVISED RELEASE

(ECF No. 303)

Defendant Cheri Emmanuel moves for early termination of supervised release. ECF No. 303. The United States Probation Office supports her request.

Modification or termination of supervised release is governed by 18 U.S.C. § 3583(e), which requires me to consider the defendant's conduct and the interests of justice. I also must consider "the factors set forth in section 3553 (a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)." Application Note 5 to United States Sentencing Guideline § 5D1.2 states that "[t]he court is encouraged to exercise this authority [to terminate early release] in appropriate cases." Early termination is not the norm.

Ms. Emmanuel was convicted of possession with intent to distribute a controlled substance. She was sentenced to the mandatory minimum of 120 months, plus a 60 month term of supervised release. She has completed 37 months of supervised release with no violations. She undertook many jobs while incarcerated, and benefitted from both the Bureau of Prison's Residential Drug Abuse Program and an eight-month after-care program while in the Residential Reentry Center. Ms. Emmanuel is gainfully employed and has been promoted within the

1 company she works for. She has purchased a home and a car and spends time with her family.

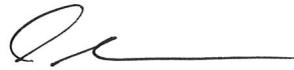
2 She appears to have broken her addiction and successfully reintegrated into society.

3 Ms. Emmanuel has changed her life and I believe she is rehabilitated. The public is no
4 longer in need of protection from Ms. Emmanuel, and continued supervision will not provide any
5 additional deterrence to her committing crimes in the future. 18 U.S.C. § 3553(b)(2)(B), (C). As
6 for the policy statements issued by the Sentencing Commission (18 U.S.C. §3553(a)(5)),
7 Application Note 5 to United States Sentencing Guideline § 5D1.2 states that “[t]he court is
8 encouraged to exercise this authority [to terminate early release] in appropriate cases.” This is an
9 appropriate case.

10
11 Because of the circumstances of this case, the interests of justice are served by the early
12 termination of supervised release. I will grant the motion.

13 The defendant’s motion for early termination of supervised release (**ECF No. 303**) is
14 **GRANTED.**

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16 DATED this 14th day of October, 2016.
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19 ANDREW P. GORDON
20 UNITED STATES DISTRICT JUDGE
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